

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**CARLOTTA BLOUNT-CUMMINS
PLAINTIFF**

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CIVIL ACTION

*

v.

*

**FILE NO: 1:10 CV 01091
Jury Trial Demanded**

**GENERAL DYNAMICS
INFORMATION TECHNOLOGY, INC.
DEFENDANT**

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STIPULATION TO TRANSFER

COME NOW Counsel for the Parties in the above styled action and hereby stipulate to the Court that Plaintiff has concurred with Defendant that the Court transfer this case to the Eastern District of Virginia as requested by the Defendant in Its Motion to Dismiss or in the Alternative to Transfer Venue filed with the Court on May 13, 2010 as Document 3 in the Court's ECF system.

Plaintiff further agrees herewith because she believes that transfer, not dismissal is the proper disposition of the instant case. Plaintiff did not file this Action in the Northern District solely for Counsel's convenience. At the time the action was filed, Plaintiff's Counsel was unaware of the location of the records of Plaintiff's employment. Therefore, Plaintiff filed the action in the venue which would be appropriate given what knowledge was available, the Northern District of Georgia. Similarly, the Northern District of Georgia was proper venue for

Plaintiff's § 1981 action such that both the Title VII and § 1981 action were properly before the Court based on Plaintiff's Counsel's knowledge as it existed at the time.

Having received new information regarding the location of the records relating to the Plaintiff's employment, Plaintiff agrees with Defendant that the proper venue for litigating Plaintiff's Title VII Claim would be the Eastern District of Virginia before it would be the Northern District of Georgia. 42 USC § 2000e-5(f)(3). Plaintiff further agrees that judicial economy, the convenience of the parties and the location of the witnesses justifies transfer of Plaintiff's § 1981 claim.

Thus, in order to promote judicial economy and to more favorably comply with relevant law in light of the new information made available as discussed above, the parties hereto stipulate to a transfer of the instant action to the Eastern District of Virginia, Alexandria Division.

This 2nd day of June 2010.

Prepared by:

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